

Senate Joint Resolution 15
Tuesday, January 20, 2009
Presented by Chris Smith
Senate Fish and Game Committee

Mr. Chairman and members of the committee, I am Chris Smith, Deputy Director of Montana Fish, Wildlife and Parks. I am here today to offer our full support to SJ 15.

Over the past 8 years, the citizens of Montana and Fish, Wildlife and Parks (FWP) have worked hard and collaboratively to develop, and to the extent we could, implement a wolf conservation and management plan that is second to none. During that same time, wolf numbers have continued to grow, and the Northern Rocky Mountain (NRM) wolf population reached and exceeded recovery goals set by the U.S. Fish and Wildlife Service (FWS).

FWP and the people of Montana have pressed the federal government to complete the recovery process by removing wolves from the list of threatened and endangered species in the NRM and turning full management of wolves over to Montana. Unfortunately, given the arcane nature of the Endangered Species Act, that has proven more difficult than most of us hoped.

The FWS did briefly delist wolves in 2008. However, a successful legal challenge to that delisting rule led the FWS to vacate the final rule published about this time last year and reconsider the options for delisting.

On January 14, the FWS announced a second proposed delisting rule for the NRM wolf population. That rule is scheduled to be published in the federal register around January 27 and to take effect 30 days later. Importantly, the new rule addresses the legal issues raised by the plaintiffs in their challenge to the 2008 rule. It delists wolves in Montana and Idaho, which have adequate plans and laws in place to allow delisting, while leaving wolves in Wyoming subject to federal protection in view of that state's continued classification of the wolf as a predator over most of the state.

As we gather here to consider SB 15, a new administration is taking control of federal decisions in Washington, D.C. Some speculate that this change will ensure that wolves are never delisted. I believe it is too early to tell and remain optimistic that the Secretary-designee Salazar, a westerner who understands this issue well, will continue to press forward with delisting of the NRM.

SB 15 sends a clear and positive message to the new administration that Montana remains committed to the comprehensive conservation strategy forged by the citizens of this state. It urges the President and Secretary of Interior to support the recently published rule and expedite transfer of management authority to FWP. These are vitally important words for the new administration to hear to balance those of other interests who are critical or suspicious of state management. In the haze of rhetoric that so often surrounds wolves,

SB 15 rings with the wisdom and depth that have set Montana apart for years on this issue.

Regardless of the actions of the new administration, I am not so naive as to think the revised delisting rule will not face stiff legal challenges. There are vested interests that will not allow the states to assume management of wolves without a fight. SB 15 addresses this reality by directing FWP to vigorously defend the new delisting rule and, should this rule also be found inadequate, to continue our ongoing efforts to achieve delisting in the shortest possible time.

FWP was actively involved in defense of the 2008 rule. FWP has pressed, negotiated and argued with the FWS to get the revised rule out. You can be assured that FWP will throw everything we can into defending this rule and – should that still not be enough to convince the federal courts – FWP will go back to work immediately to find a way to achieve the ultimate goal of delisting and responsible state management.

Senator Tutvedt was one of the original Governor's Wolf Advisory Council members in 2000. His efforts then, and now, reflect the constructive, determined spirit Montana has demonstrated throughout the past 20 years of wolf recovery. We appreciate and wholeheartedly support his effort to inform the new administration of Montana's commitment and the importance of keeping the federal government's promise to the people of this state and the nation.

FWP urges your strong support of SB 15. Thank you.